

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**May 8-12, 2006**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
5-8	OPP OPP OPP	91122465 91156483 91159112	Mini Melts, Inc. v. Dippin' Dots, Inc.	Seeherman Quinn Hohein*	issue preclusion as to 2(e)(5) [functional matter]	Opposition Sustained in all three cases on the basis of issue preclusion		configuration of the goods in the form of a sphere [ice cream beads less than 10mm in diameter and sold in composite form];  configuration of the goods in the form of multiple spheres, colored pink and arranged within a container (the container not being part of the mark) [ice cream and frozen yogurt];  configuration of the goods in the form of multiple spheres of various sizes, colored brown and arranged within a container (the container not being part of the mark) [ice cream, frozen yoghurt and novelty frozen water beads]			No
5-10	EX	76604027	Worldwise, Inc.	Seeherman Drost Zervas*	2(d); 2(e)(1)	Refusal Affirmed on both grounds		"CATNIPLOUNGER" [pet bed]	"LOUNGER" [beds for pets]	Dall	No
5-11	EX EX	76562080 76587659	Phoenix Intangibles Holding Company	Quinn Bucher* Drost	2(e)(4) [primarily merely a surname]	Refusal Affirmed in both cases		"LAURENTI" [various food items in Classes 29, 30 and 31; mineral water in Class 32; wine in Class 33]; "LAURENTI" [various food items in Classes 29, 30 and 31]		Hickey	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) \*=Opinion Writer; (D)=Dissenting Panel Member

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
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5-11	EX	78313893	Binda International S.A.	Hairston Bucher* Holtzman	2(e)(4)	Refusal Affirmed		"BREIL" [horological and chronometric instruments, precious stones, jewelry and costume jewelry articles]		C. B. King	No
5-11	EX	78312371	Mapcad, Inc.	Drost* Zervas Kuhlke	2(d); whether applicant's recitation of goods is sufficiently definite	Refusal Affirmed, but only on the ground that the recitation of goods is not sufficiently definite		"MAPCAD" [computer software for professionals in the field of civil engineering excluding software used in drafting and mapping in the field of photogrammetry]	"CADMAP" [computer software for use in the field of drafting, map drawing and photogrammetry]	Evanko	No
5-11	EX	76535248	TelechaT Network, Inc.	Quinn Drost* Zervas	Section 6 disclaimer requirement (of the word TELECHAT) [Note: Applicant disclaimed the word NETWORK]	Refusal Reversed		"TELECHAT NETWORK" (and design) [telephone and on-line dating service allowing participants to select, obtain and provide information and communicate with potential companions]		Axilbund	No

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